

**FILED**

JUN 14 2017

IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

CLERK, U.S. BANKRUPTCY COURT  
WEST DIST. OF PENNSYLVANIA

DERRIK ANTHONY KUHNS and  
STACI ANN KUHNS,  
Debtors,

No. 16-21971-GLT

Chapter 13

DERRIK ANTHONY KUHNS and  
STACI ANN KUHNS,  
Movants,

Related to Dkt. No. 146

-vs-

Hearing Date: June 14, 2017

Hearing Time: 10:30 a.m.

FIRST COMMONWEALTH BANK,  
FAYETTE COUNTY,  
CITY OF CONNELLSVILLE,  
CONNELLSVILLE AREA SCHOOL  
DISTRICT,  
NANCY LEE WILSON, TREASURER,  
MARILYN WEAVER, TAX COLLECTOR,  
FAYETTE COUNTY TAX CLAIM BUREAU,  
PENNSYLVANIA AMERICAN WATER,  
CONNELLSVILLE MUNICIPAL  
AUTHORITY, and RONDA J. WINNECOUR,  
TRUSTEE,  
Respondents.

**ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY**  
**FREE AND DIVESTED OF LIENS**

AND NOW, this 14<sup>th</sup> day of June, 2017, on consideration of the Debtors' Motion to Sell Real Property Free and Clear of Third Party Interests, Liens, Claims, Charges and/or Encumbrances Pursuant to 11 U.S.C. § 363 to Kevin Burkholder, Jr., 311 Ash Street, Melcroft, PA 15462, for \$14,000.00, after hearing held in Courtroom A, 54<sup>th</sup> Floor of the U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above named Respondents, was effected on the following secured creditors whose liens are recited in said Motion for private sale, viz:

DATE OF SERVICE	NAME OF LIENHOLDER AND SECURITY
May 15, 2017	<b>First Commonwealth Bank</b> Mortgage dated February 21, 2006, and recorded March 1, 2006, as Instrument No. 200600002954, or Book 2978, Page 1753-1761.

**IT IS FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing. ***Failure of the closing agent to timely make and forward the disbursements required by this Order*** will subject the closing agent to monetary sanctions, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order.

- (1) The following lien(s)/claim(s):
  - (a) First Commonwealth Bank in the amount of: "Net proceeds" from closing as identified on the HUD-1 Settlement Statement or Closing Disclosure
- (2) Delinquent real estate taxes, if any;
- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) Water and sewage charge due through the date of closing;
- (5) Cost associated with the acquisition of all required municipal lien letters and tax certifications;
- (6) ~~Deed preparation fee not to exceed \$200.00;~~
- (7) Realty transfer tax not to exceed 1% of the sale price;
- (8) The costs of local newspaper advertising in the amount of \$ 159.52;
- (9) The costs of legal journal advertising in the amount of \$ 90;
- (10) The Court approved realtor commission in the amount of \$ 3,775.00;
- (11) Court approved attorney fees in the amount of \$ 750.00;
- (12) Chapter 13 Trustee "percentage fees" in the amount of \$ 408.68 payable to "Ronda J. Winnecour, Ch. 13 Trustee, P.O. Box 2587, Pittsburgh, PA. 15230";
- (9) Other: Filing fee for Motion to Sell in the amount of \$181.00 to Schimizzi Law.

**FURTHER ORDERED** that:

- (1) Closing shall occur within thirty (30) days of this Order and, ***within 14 days following closing***, the Movant shall file a report of sale;
- (2) This Sale Confirmation Order survives any dismissal or conversion of the within case; and,

- (3) ***Within five (5) days of the date of this Order***, the Movant shall serve a copy of the within Order on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the Debtors, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.

BY THE COURT:

  
\_\_\_\_\_  
GREGORY J. TADDONIO,  
United States Bankruptcy Judge

## Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
Western District of PennsylvaniaIn re:  
Derrik Anthony Kuhns  
Staci Ann Kuhns  
DebtorsCase No. 16-21971-GLT  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: bsil  
Form ID: pdf900Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2017.

db/jdb Derrik Anthony Kuhns, Staci Ann Kuhns, 148 Ritenour Ln, Latrobe, PA 15650-3929

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 16, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2017 at the address(es) listed below:

Brett A. Solomon on behalf of Creditor First Commonwealth Bank bsolomon@tuckerlaw.com,  
dparanay@tuckerlaw.com;apetronchak@tuckerlaw.com;agilbert@tuckerlaw.com  
James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...  
bkgroup@kmllawgroup.com  
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmllawgroup.com  
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmllawgroup.com  
James Warmbrodt on behalf of Creditor Ditech Financial LLC fka Green Tree Servicing LLC  
bkgroup@kmllawgroup.com  
Jeremy J. Kobeski on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com  
Jerome B. Blank on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com  
Jill Manuel-Coughlin on behalf of Creditor CITIMORTGAGE INC jill@pkallc.com,  
chris.amann@pkallc.com;nick.bracey@pkallc.com;samantha.gonzalez@pkallc.com;harry.reese@pkallc.com  
John F. Goryl on behalf of Creditor PNC Bank, National Association bkgroup@kmllawgroup.com  
Joseph A. Dessoye on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com  
Joshua I. Goldman on behalf of Creditor Nationstar Mortgage LLC bkgroup@kmllawgroup.com  
Joshua I. Goldman on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...  
bkgroup@kmllawgroup.com  
Keri P. Ebeck on behalf of Creditor PNC Bank, National Association kebeck@weltman.com,  
jbluemle@weltman.com  
Keri P. Ebeck on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...  
kebeck@weltman.com, jbluemle@weltman.com  
Matthew R. Schimizzi on behalf of Debtor Kuhns Real Estate Investments, LLC  
mrs@schimizzilaw.com, G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com  
Matthew R. Schimizzi on behalf of Joint Debtor Staci Ann Kuhns mrs@schimizzilaw.com,  
G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com  
Matthew R. Schimizzi on behalf of Debtor Derrik Anthony Kuhns mrs@schimizzilaw.com,  
G16143@notify.cincompass.com;lms@schimizzilaw.com;rws@schimizzilaw.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com  
Sherri J. Braunstein on behalf of Creditor PNC Bank, National Association  
sbraunstein@udren.com, vbarber@udren.com  
Sherri J. Braunstein on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION et al...  
sbraunstein@udren.com, vbarber@udren.com

TOTAL: 22